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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

Thomas Cook Group plc, *et al.*,<sup>1</sup>

Debtors in a Foreign Proceeding

Chapter 15

Case No. 19-12984 (MG)

Jointly Administered

**MOTION TO WITHDRAW VERIFIED PETITION FOR RECOGNITION AND  
DISMISS CHAPTER 15 CASES**

In accordance with Rule 9074-1(b)(2) and 9006-1(b) of the Local Bankruptcy Rules, Dr. Peter Fankhauser (the “Petitioner”) moves to withdraw the *Verified Petition for Recognition of Foreign Nonmain Proceedings or, in the Alternative, Foreign Main Proceedings Supplementing “Voluntary Petition,” and Motion for Related Relief Pursuant to Sections 105(a), 1507(a), 1509(b)(2)-(3), 1521(a), 1521(c), and 1525(a) of the Bankruptcy Code Giving Full Force and Effect to UK Scheme of Arrangement* [Docket No. 3] (the “Verified Petition”) and dismiss the *Chapter 15 Petition for Recognition of a Foreign Proceeding* [Docket No. 1] (the “Voluntary Petition”) (together with the Verified Petition, the “Petition”), without prejudice, filed pursuant to

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<sup>1</sup> The Debtors in this and the UK Proceedings, together with the last four digits of each Debtor’s company registration number, are as follows: Thomas Cook Group plc (1951); Thomas Cook Finance 2 plc (5715); Thomas Cook Group Treasury Limited (5598). The location of Thomas Cook Group plc’s corporate headquarters is 200 Aldersgate, London, EC1A 4HD. The service address for the Debtors is 200 Aldersgate, London, EC1A 4HD.

chapter 15 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), with the United States Bankruptcy Court for the Southern District of New York on behalf of the Petitioner, in his capacity as Foreign Representative in respect of voluntary schemes of arrangement concerning the above-captioned debtors (collectively, the “Debtors”).

Good cause exists to permit the withdrawal of the Verified Petition and order the dismissal of these chapter 15 cases because the Scheme of Arrangement Proceedings, of which recognition was sought through the Petition, have not proceeded and the Debtors have, instead, applied to the Chancery Division (Business and Property Court) of the High Court of Justice of England and Wales for a compulsory winding up order under section 124 of the UK’s Insolvency Act 1986 which was granted on September 23, 2019.

Dated: October 8, 2019  
New York, New York

LATHAM & WATKINS LLP

By: /s/ Adam J. Goldberg

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